

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)

V.)

JOHNATHON IRISH)

DOCKET NO. 19-CR-251-LM

**DEFENDANT'S OBJECTION TO THE GOVERNMENT'S
FORFEITURE JURY INSTRUCTIONS**

Defendant Johnathon Irish hereby objects to the Government's requested instructions on forfeiture. In the requested instructions, the Government requests an instruction that the burden of proof be preponderance of evidence, and that the firearms and ammunition be forfeited if involved in the offense. 18 U.S.C. § 924(d) allows for forfeiture only upon proof by clear and convincing evidence, and only upon a finding that the firearm or ammunition was intended to be used in the offense.

Defendant
Johnathon Irish
By his Attorney,

/s/ Benjamin L. Falkner
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Dated: February 6, 2020

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the within document upon the attorney of record for the Government via the Court's ecf system on February 6, 2020.

/s/ Benjamin L. Falkner

Benjamin L. Falkner